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Elizabeth G. Eager

From: Elizabeth G. Eager
Sent: Tuesday, October 12, 2010 12:35 PM
To: 'Wise, Jr., Robert F.'; 'Aoyagi, Melissa T.'
Cc: Steven J. Rosenwasser
Subject: RE: TASER Morgan Stanley Open Issues

Bob and Melissa,

When we met for the 26(f) conference last week, you requested that Plaintiffs send you a list of open issues. On September 21, we sent you an email requesting that we set up a phone call to discuss the open issues. While we never heard back from you, we are still ready and willing to discuss these open issues.

As you can see below, many of these issues are almost two months old. And some are three or five months old. If we are unable to resolve these issues, Plaintiffs have no choice but to move the Court or Special Master for relief.

- (1) Steven's July 8 email regarding your production of Defendants' production documents and public materials and hard copy documents.
- (2) Exit from CNS documents. On August 17, you indicated we would be getting a written response. From my review of the correspondence, it does not appear we have received a response.
- (3) Steven's July 2 email regarding No Goods for t/d report. On August 17, you indicated you were working on it. I don't believe we have heard back from you.
- (4) On August 17, we discussed inconsistencies Plaintiffs had identified between the trade runs and stock record and unexplained movements in the Daily Stock Record. We identified specific pages of our interrogatory response for you to review. We have not heard back from you.
- (5) On August 17, we also discussed the 96 "internal reference codes" from the May 6 email. You said you would identify subsets in the codes that serve same or similar functions. We have not heard back from you.
- (6) On August 19, I sent an email regarding MSSSI data.
- (7) On September 14, we sent you an email re DTCC Market Maker Reports.
- (8) On September 17, we sent you an email regarding traders.
- (9) Issue regarding RVP/ DVP accounts as identified in my August 17 email.
- (10) 30b6.
- (11) Production of privilege log.

Liz

From: Elizabeth G. Eager
Sent: Tuesday, August 24, 2010 5:14 PM
To: 'Wise, Jr., Robert F.'; 'Aoyagi, Melissa T.'
Cc: Steven J. Rosenwasser
Subject: TASER Morgan Stanley Open Issues

Bob and Melissa,

I am writing regarding open issues that pertain to Morgan Stanley. As some of these issues have been open for several weeks, Plaintiffs request that you provide receive a response on each of these issues by the end of next week so that the parties can either reach agreement or agree to disagree and take the issues to the special master.

- (1) Steven's July 8 email regarding your production of Defendants' production documents and public materials and hard copy documents.

(2) Exit from CNS documents. On August 17, you indicated we would be getting a written response. We look forward to receiving it.

(3) Steven's July 2 email regarding No Goods for t/d report.

(4) Steven's August 5 email regarding column definitions in the SAFE/SGUD report.

(5) My August 17 and 18 emails regarding inconsistencies between the trade runs and stock record and unexplained movements in the Daily Stock Activity Report.

(6) My August 17 email regarding internal codes.

(7) My August 19 email regarding MSSSI data.

(8) Steven's August 19 email regarding redactions.

(9) Your responses to the 2nd and 3rd requests for admissions and RVP/ DVP accounts as discussed in my August 17 email.

(10) Your response to outstanding issues related to the 30b6 deposition as indicated in my August 17 email.

(11) When can Plaintiffs expect Morgan Stanley to produce its privilege log?

(12) The one outstanding account classification definition from the May 5 data questions list.

We appreciate your time and attention to these matters.

Thanks,
Liz